



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11

**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

12  
13  
14  
15  
16  
17

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
GERSIO ABIMAEL LOPEZ,  
Defendant.

Case No. 17-CR-184

ORDER OF DETENTION

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I.

The Court conducted a detention hearing:

☐ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case:  
allegedly involving:

( ) a crime of violence.

( ) an offense with a maximum sentence of life imprisonment or  
death.

//

//

1 ( ) a narcotics or controlled substance offense with the maximum  
2 sentence of ten or more years.

3 ( ) any felony – where defendant convicted of two or more prior  
4 offenses described above.

5 ( ) any felony that is not otherwise a crime of violence that involves a  
6 minor victim, or possession of a firearm or destructive device or any  
7 other dangerous weapon, or a failure to register under 18 U.S.C.  
8 § 2250.

9  
10 ☒ On motion by the Government or on the Court's own motion  
11 [18 U.S.C. § 3142(f)(2)] in a case allegedly involving, on further allegation by the  
12 Government of:

13 (X) a serious risk that defendant will flee

14 ( ) a serious risk that the defendant will ( ) obstruct or attempt to  
15 obstruct justice; ( ) threaten, injure or intimidate a prospective witness  
16 or juror, or attempt to do so.

17  
18 ☐ The Court concludes that the Government is entitled to a rebuttable  
19 presumption that no condition or combination of conditions will reasonably assure  
20 the defendant's appearance as required and the safety of any person or the  
21 community [18 U.S.C. § 3142(e)(2)].

22  
23 II.

24 ☒ The Court finds that no condition or combination of conditions will  
25 reasonably assure: ☒ the appearance of the defendant as required.

26 ☐ the safety of any person or the community.

27 ☐ The Court finds that the defendant has not rebutted by sufficient evidence  
28 to the contrary the presumption provided by statute.

1  
2 III.

3 The Court has considered: (a) the nature and circumstances of the offense(s)  
4 charged, including whether the offense is a crime of violence, a Federal crime of  
5 terrorism, or involves a minor victim or a controlled substance, firearm, explosive,  
6 or destructive device; (b) the weight of evidence against the defendant; (c) the  
7 history and characteristics of the defendant; and (d) the nature and seriousness of  
8 the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also  
9 considered all the evidence adduced at the hearing and the arguments, the  
10 arguments of counsel, and the report and recommendation of the U.S. Pretrial  
11 Services Agency.

12 IV.

13 The Court bases its conclusions on the following:

14 ☒ As to risk of non-appearance: lack of viable bail resources; current  
15 immigration status

16 ☐ As to danger to the community:

17  
18 V.

19 ☐ The Court finds a serious risk that the defendant will

20 ☐ obstruct or attempt to obstruct justice.

21 ☐ threaten, injure or intimidate a prospective witness or juror, or  
22 attempt to do so.

23 The Court bases its conclusions on the following:

24 VI.

25 IT IS THEREFORE ORDERED that the defendant be detained until trial.  
26 The defendant will be committed to the custody of the Attorney General for  
27 confinement in a corrections facility separate, to the extent practicable, from  
28 persons awaiting or serving sentences or being held in custody pending appeal.

1 The defendant will be afforded reasonable opportunity for private consultation  
2 with counsel. On order of a Court of the United States or on request of any  
3 attorney for the Government, the person in charge of the corrections facility in  
4 which defendant is confined will deliver the defendant to a United States Marshal  
5 for the purpose of an appearance in connection with a court proceeding.

6 [18 U.S.C. § 3142(i)]

7  
8 Dated: 04/26/2017

  
HON. ROZELLA A. OLIVER  
UNITED STATES MAGISTRATE JUDGE